

Express Mail Label No.: EL883914782US

Date of Deposit: December 7, 2006

Attorney Docket No: 28682-501 CIP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Chancellor, et al.  
ASSIGNEE: UNIVERSITY OF PITTSBURGH  
PATENT NO.: 7,115,417 APPLICATION NO.: 09/549,937  
ISSUE DATE: October 3, 2006 FILING DATE: April 14, 2000  
FOR: SOFT TISSUE AND BONE AUGMENTATION AND BULKING UTILIZING  
MUSCLE-DERIVED PROGENITOR COMPOSITIONS, AND TREATMENTS  
THEREOF

Attn. Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate  
DEC 12 2006  
of Correction

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Request for Certificate of Correction under 37 CFR § 1.322 and 1.323 (2 pgs.);
2. Proposed Certificate of Correction (1 pg);
3. Copy of Issue Fee Transmittal (1 page);
4. Check No. 10001 for \$100.00; and
5. Return Postcard.

Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 28682-501 CIP).

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

*Ivor R. Elrif* Reg. No. 48,593

*I* Ivor R. Elrif, Reg. No. 39,529  
Attorney for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
Tel: (617) 542-6000  
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Customer Number 30623

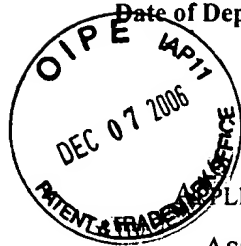
Dated: December 7, 2006

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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THEREOF

Attn: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION  
UNDER 37 CFR § 1.322 AND 1.323**

The patentee of the above-identified patent, through its attorney, hereby requests issuance of a Certificate of Correction. A certificate is required to correct errors in the specification, as follows:

On the face of the patent, the title

SOFT TISSUE AND BONE AUGMENTATION AND BULKING UTILIZING MUSCLE-DERIVED  
PROGENITO COMPOSITIONS, AND TREATMENTS THEREOF

Should read

-- SOFT TISSUE AND BONE AUGMENTATION AND BULKING UTILIZING MUSCLE-DERIVED  
PROGENITOR CELLS, COMPOSITIONS, AND TREATMENTS THEREOF --.

On the face of the patent, insert

**--GOVERNMENT INTERESTS**

This invention was made with Government support under Grant No. DK055387 awarded by the National Institutes of Health. The Government has certain rights in this invention.--

12/08/2006 GWORDOF1 00000052 7115417

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100.00 OP

DEC 13 2006

**Applicant:** Chancellor et al.  
**Patent Number:** 7,115,417

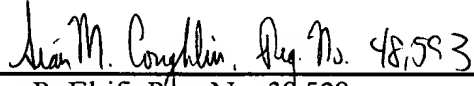
The error in the title is considered to be an error on behalf of the Patent Office. The Issue Fee Transmittal received from the Office recited the correct title, but the patent as issued did not. A copy of the Issue Fee transmittal is provided, herewith.

The error in omitting the "Government Interests" paragraph shown above is the fault of the Applicants, is of minor character, was made in good faith, and its correction does not involve such changes in the patent as would constitute new matter or would require reexamination. The fee under 35 U.S.C. § 120(a) is submitted herewith for the correction of these errors.

It is respectfully requested that a Certificate of Correction be issued to correct the errors in the specification. Enclosed herewith is a proposed Certificate of Correction indicating the error and correction thereof.

No additional fees are due in connection with this submission, however, the Commissioner is hereby authorized to charge any additional fees due, or credit any overpayment of same, to Deposit Account No. 50-0311; Reference No. 28682-501 CIP.

Respectfully submitted,

  
Ivor R. Elrifi, Reg. No. 39,529  
Attorney for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
**Customer Number 30623**

Dated: December 7, 2006

TRA 2230642v.1

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISS-1 FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or **Fax** (571)-273-2885

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

05/17/2006

Leslie A. Serunian, Ph.D  
 MINTZ LEVIN COHN FERRIS GLOVSKY  
 Chrysler Center  
 666 Third Avenue 24th Floor  
 New York, NY 10017



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/549,937	04/14/2000	Michael B Chancellor	28682-501-CIP	9119

**TITLE OF INVENTION:** SOFT TISSUE AND BONE AUGMENTATION AND BULKING UTILIZING MUSCLE-DERIVED PROGENITOR CELLS, COMPOSITIONS, AND TREATMENTS THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	08/17/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
WHITEMAN, BRIAN A	1635	435-383000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Mintz, Levin, Cohn

~~Ferris, Glovsky, and~~

~~Leslie Serunian~~ Popeo PC

3 Ivor Elrifl

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

## 4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☒ Advance Order - # of Copies 10

## 4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0311 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Sean M. Coughlin

Date August 17, 2006

Typed or printed name Sean M. Coughlin

Registration No. 48,593

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DEC 13 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO.: 7,115,417  
DATED: October 3, 2006  
INVENTORS: Michael B. Chancellor, Johnny Huard, Christopher C. Capelli, and  
Zhuqing Qu.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the face of the patent, the title

SOFT TISSUE AND BONE AUGMENTATION AND BULKING UTILIZING MUSCLE-DERIVED  
PROGENITO COMPOSITIONS, AND TREATMENTS THEREOF

Should read

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**--GOVERNMENT INTERESTS**

This invention was made with Government support under Grant No. DK055387 awarded  
by the National Institute of Health. The Government has certain rights in this invention.--

MAILING ADDRESS OF SENDER:

Ivor R. Elrifi, Reg. No. 39,529  
Attorney for Applicants  
MINTZ LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
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